

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-307

June 22, 2004

WINSTAR COMMUNICATIONS
LLC, Request to Abandon Service

ORDER ALLOWING
PARTIAL ABANDONMENT
OF SERVICE

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

On May 5, 2004, Winstar Communications, LLC (Winstar) filed a request to abandon a portion of its service to certain customers. This proposed abandonment is governed by 35-A M.R.S.A. § 1104(1). Winstar proposed to discontinue interexchange service to its three commercial (non-federal government) customers in Maine. Winstar will continue to provide interexchange service to the federal government. Accordingly, it will continue to retain its authority to provide interexchange service in Maine, granted in Docket No. 2002-32 on March 5, 2002.

In support of its request to discontinue service to the three commercial customers, Winstar states that it has provided notice to the customers, and that it has advised the customers that another carrier, Z-Tel Communications, "will work with affected customers to convert their Winstar service to a comparable Z-Tel service." (Winstar is not proposing to transfer the customers to Z-Tel.)

Because there are a large number of competitive interexchange telephone utilities available to provide service to its former customers, we grant Winstar's request to abandon service to those customers. Winstar has already provided the customers with notice of the discontinuance of service.

Dated at Augusta, Maine this 22nd day of June, 2004.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Diamond
 Reishus

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.